

REMARKS:

- 1) In accordance with the PCT procedures, the original specification of this application was a direct literal translation of the corresponding foreign language PCT International Application. The specification has now been amended in an editorial and formal manner to correct minor informalities of the original translated text, for better compliance with typical US application format and the like. The abstract of the disclosure has also been rewritten in view of the US requirements. The informalities noted by the Examiner in sections 2 to 6 on pages 2 and 3 of the Office Action have been corrected. Accordingly, please withdraw the objection to the abstract and the objections to the disclosure.
- 2) The original claims of this application were also a direct literal translation of the counterpart PCT International Application claims, in accordance with the PCT procedures. The claims have now been amended in an editorial and formal manner, to avoid minor inconsistencies and other informalities, and achieve better streamlining and typical US claim style of the translated claim language. These claim amendments are merely editorial and formal in nature, are not intended to narrow the scope of the claims, and are not submitted for purposes of patentability. The informalities noted by the Examiner in sections 7 to 14 on pages 3 and 4 of the Office Action have been taken into account in the present amendment. Thus, please withdraw the objections to the claims.

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- 3) Referring to section 16 on pages 5 to 7 of the Office Action, the rejection of claims 2, 3, 20, 22, 23, 26 and 28 to 34 as indefinite under 35 USC 112(2) has been taken into account in the present claim amendments. The indefinite aspects pointed out by the Examiner have been avoided or corrected. These aspects of the original claims merely resulted from the literal translation of the counterpart PCT international claims. It is respectfully submitted that the amended claims are clear and definite, and particularly point out and distinctly claim the subject matter regarded as the invention. Accordingly, please withdraw the rejection under 35 USC 112(2).
- 4) The claims have also been amended substantively as follows. Independent claim 1 has been amended to incorporate the subject matter of prior claim 23. Claims 23 and 28 to 30 have been cancelled. New claims 36 to 38 have been added. New claim 36 is based on the subject matter of prior claims 1 and 28, also with reference to the specification at page 12 lines 9 to 19 and Fig. 3. Claims 37 and 38 are based on prior claims 29 and 30. Thus, the claim amendments and the new claims do not introduce any new matter. Entry and consideration thereof are respectfully requested.
- 5) Referring to section 24 on page 16 of the Office Action, the indication of allowable subject matter in prior claim 23 is appreciated. The subject matter of claim 23 has now been incorporated into amended independent claim 1. Accordingly,

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claim 1 and its dependent claims 2, 3, 20 to 22, 24 to 27 and 31 to 35 should now be allowable.

- 6) Referring to section 18 on pages 8 to 11 of the Office Action, the rejection to claims 1 to 3, 20 to 22, 24, 26, 27 and 34 as anticipated by DE 2 113 406 has been obviated by the present amendment. Since amended claim 1 now incorporates the allowable subject matter of non-rejected claim 23, this rejection cannot be maintained. Please withdraw the rejection.
- 7) Referring to section 20 on page 11 of the Office Action, no particular rejection of claim 25 has been set forth, but it appears that claim 25 has been rejected as obvious over DE 2 113 406. This rejection has been obviated because amended independent claim 1 now incorporates the allowable subject matter of non-rejected claim 23. Thus, please withdraw the rejection of claim 25, which depends from claim 1.
- 8) Referring to section 21 on pages 12 and 13 of the Office Action, the rejection of claims 28 to 30 as obvious over DE 2 113 406 in view of US Patent 5,337,977 (Fleming et al.) is respectfully traversed. Claims 28 to 30 have been canceled, but new claims 36 to 38 are based on prior claims 28 to 30. Thus, this rejection will be addressed in connection with the new claims 36 to 38.
- 9) Claim 36 is directed to an apparatus for warning of differential pressure during opening of a pressure-loaded aircraft door.

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An air guide passage is provided from a first side in a passenger cabin inside an aircraft fuselage, via a through-flow opening in the aircraft door, to a second side exposed to an outside environment outside of the aircraft fuselage.

It is a special inventive feature of claim 36 that the through-flow opening is arranged in an outside hand lever box that is provided in the aircraft door. In this regard, see the specification at page 12 lines 9 to 19 in connection with Fig. 3.

This special feature of the invention provides significant advantages as follows. First, it is not necessary to make an opening in the outside skin of the aircraft. Such an opening in the outside skin is always subject to difficulties in terms of the strength of the installation to avoid weakening the outside skin, a disadvantageous influence on the aerodynamic characteristics of the outside skin, and the penetration of water, dirt, or other contaminants into such a hole in the outside skin. Most importantly, the inventive arrangement of the through-flow opening in the outside hand lever box of the aircraft door protects or shields the through-flow opening against the penetration of water, dirt, ice or other contaminants into the opening. This ensures that such contaminants do not penetrate into the air guide passage. Thus, the operation of the inventive apparatus for producing an acoustic warning signal is reliably ensured, i.e. is not prevented by the penetration of water or dirt into the through-opening. Also, such an outside hand lever box is typically already provided on the outside of the aircraft door, to house or enclose the outside door opening control lever. Thus, arranging the through-flow opening in the

outside hand lever box avoids the need for forming an additional opening or perforation through the outside skin of the aircraft door, and thereby avoids the risk of further weakening the outside skin structure, and avoids creating an additional aerodynamic drag influence.

As acknowledged by the Examiner, DE 2 113 406 does not disclose a through-flow opening in an aircraft door, and particularly does not disclose a through-flow opening arranged in an outside hand lever box provided in the aircraft door. Instead, DE 2 113 406 discloses a pressure warning device arranged on the door of a pressure chamber, such as a diving pressure chamber, a decompression chamber, a pressure treatment chamber, or the like. According to the reference, an air guide passage in the form of a drilled pipe stub (2a) passes through an opening directly in the door (1) of the pressure chamber. Thus, if anything, the reference suggests to provide a through-flow opening directly on the outside surface of a door of a pressure chamber. With such an arrangement of an opening on the outside surface of the door, it is a disadvantage that water, sand, dirt, or other contaminants can directly penetrate into the opening. Such contamination can jeopardize the reliable operation of the pressure warning arrangement. DE 2 113 406 would have provided no suggestion toward arranging a through-flow opening in an outside hand lever box of an aircraft door.

In this regard, the Examiner has additionally cited Fleming et al. for disclosing a pressure vent assembly having a through-flow opening in an aircraft door. The opening (42) is a very large opening covered by a pressure vent door (40). This

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vent opening (42) communicates directly with the interior cabin environment inside the aircraft, and is not connected via an air guide passage. Moreover, the vent opening (42) opens directly through the outer skin of the aircraft door, and thus allows the penetration of ice, water, dirt or other contaminants into the opening (see col. 2 lines 10 to 15, col. 3 lines 8 to 42).

Fleming et al. do not disclose and would not have suggested to provide the through-flow opening in an outside hand lever box so as to protect it from the penetration of contaminants. To the contrary, Fleming et al. purposely aim to overcome a problem that arises when the opening (42) is provided directly on the outside skin of the aircraft door, namely that the opening becomes blocked with ice (col. 2 lines 10 to 15, col. 3 lines 8 to 42). Such a problem would have been ameliorated by arranging the opening in an outside hand lever box, so that the entire object of Fleming et al. would not have existed or would have been overcome by the inventive arrangement.

Thus, even when considering the teachings of Fleming et al. in combination with DE 2 113 406, a person of ordinary skill in the art would not have found any suggestion or motivation to arrange a through-flow opening in an outside hand lever box as required by present claim 36.

Claims 37 and 38 are patentably distinguishable over the prior art already due to their dependence from claim 36.

For the above reasons, the Examiner is respectfully requested to withdraw the rejection of claims 28 to 30 as obvious over DE 2 113 406 in view of Fleming et al., because claims 28

to 30 have been canceled, and new claims 36 to 38 are not subject to this rejection.

- 10) Referring to section 22 on pages 13 to 15 of the Office Action, the rejection of claims 31 to 33 as obvious over DE '406 in view of US Patent 6,161,539 (Winter) in view of US Patent 4,646,582 (Kijima) has been obviated by the present amendment. Namely, amended independent claim 1 now incorporates the allowable subject matter of prior non-rejected claim 23. Claims 31 to 33 depend from claim 1. The additional references would not have disclosed or suggested the features of prior claim 23 in the combination as now recited in amended claim 1. Please withdraw the rejection.
- 11) Referring to section 23 on page 15 of the Office Action, the rejection of claim 35 as obvious over DE '406 in view of US Patent 5,541,378 (Niklaus) has been obviated by the amendment of claim 1 to incorporate the allowable subject matter of prior claim 23. Claim 35 depends from claim 1. Niklaus does not provide any further suggestions toward the features of prior claim 23 in the combination as now recited in amended claim 1. Please withdraw the rejection.
- 12) The additional prior art made of record requires no particular comments, because it has not been applied against the claims.

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- 13) Favorable reconsideration and allowance of the application, including all present claims 1 to 3, 20 to 22, 24 to 27 and 31 to 38, are respectfully requested.

Respectfully submitted,
Carsten PUSCHMANN et al.
Applicant

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Enclosures:
Transmittal Cover Sheet
Term Extension Request
Form PTO-2038

By Walter F. Fasse
Walter F. Fasse
Patent Attorney
Reg. No.: 36132
Tel. 207-862-4671
Fax. 207-862-4681
P. O. Box 726
Hampden, ME 04444-0726

CERTIFICATE OF FAX TRANSMISSION:

I hereby certify that this correspondence with all indicated enclosures is being transmitted by telefax to (571) 273-8300 on the date indicated below, and is addressed to: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Walter F. Fasse 1/3/07
Name: Walter F. Fasse - Date: January 3, 2007